

**Town of Fenwick Island  
Minutes of the Charter & Ordinance Committee Meeting  
October 5, 2010**

Approved 11.9.10

**Call to Order at 9:30 a.m.**

**Present:** Committee Members Bill Weistling, Gene Langan, Vicki Carmean, Winnie Lewis, Diane Tingle, Win Abbott and Pat Schuchman.

**Absent:** Mike Quinn, Buzz Henifin

**Minutes:**

- Vicki Carmean made a motion to approve the minutes of September 7, 2010 seconded by Winnie Lewis.

**Discussion of Ordinances Under Review:**

- Chapter 100 (Licensing) – Bill Weistling advised that the committee will not proceed with any further discussion of this chapter until after a review of Chapter 160 (Zoning) is complete.
- Chapter 135 (Signs) – this chapter was reviewed page by page. After minimal changes for clarity or typos, it was agreed to prepare this chapter for a first reading at the October Town Council Meeting.
- Chapter 140 (Streets & Sidewalks) – the proposed amendment was reviewed and all agreed it is ready for a first reading at the October Town Council Meeting.
- Chapter 160 – (Zoning) – discussion of definitions resumed from the September committee meeting. It was agreed to adopt a version similar to the Bethany Beach definition of “alley” and refer to it as “a private access...”
- We will ask the Town attorney for her opinion of a definition of a “single-family dwelling unit”.
- “Family” will be re-defined as “*one or more individuals occupying a dwelling unit, living together and maintaining a common household*”.
- “Dwelling – Single Family” – it was agreed to remove “single family” and replace it with “unit” and further “(1) a building *designed and* constructed for occupancy as a single-family residence...”
- “Floor Area” - leave as is.
- “Floor Area Ratio (FAR)” – leave as is.
- “Garage, Private & Public” – remove “steam”.
- “Ground Level” – leave as is.
- “Height of Building” – leave as is.
- “Home Occupancy” – leave as is.
- “Lot” – leave as is.
- “Lot Area” – leave as is.
- “Lot, Corner” – remove “*of not more than 135°*”.
- “Lot, Interior” – leave as is.
- “Lot Lines” – leave as is.
- “Lot, Through” – leave as is.
- “Mobile Home” – leave as is.
- “Motel/Hotel” – leave as is.
- “Nonconforming Use” – leave as is.
- “Office” – leave as is.
- “Pools, Residential” – leave as is.
- “Professional Business” – leave as is.
- “Professional Office, Residential Zone” – leave as is.
- “Professional Person” insert “*including but not limited to*” before “physicians”.
- “Public Building” – leave as is.
- “Renewable Energy System” – leave as is.

- “Small Wind Energy System” – leave as is
- “Story” – leave as is.
- “Street” – revise as “*a paved thoroughfare for public access*”.
- “Structural Alterations” – insert “*but not limited to*” before bearing walls.
- “Total Height (Small Wind Energy System)” – leave as is.
- “Town” – leave as is.
- “Townhouse” – leave as is.
- “Uninhabitable Attic” – leave as is.
- “Yard, Rear” – remove “*other than of a building for accessory use*”.
- “Yard, Side” – leave as is.
- “Zone” – leave as is.
- Chapter 160-3 – District Boundaries – Bill commented that zoning regulations for parks need to be addressed and asked Winnie to get ideas and recommendations from Planning Commission about adding “Park” as a district in addition to “Residential” and “Commercial”.
- The committee will also need to include definition of “park” and “open space”.
- Chapter 160-4A(2)(a) – discussion on accessory buildings currently not allowed in front of a property resulted in a decision to leave this section as is.
- Further discussion on 160-4A(2)(b) on “private garage” resulted in a decision to leave this section as is.
- Next month discussion will begin with Chapter 160-4B.

#### **Comprehensive Plan:**

- Winnie Lewis commented there are three committee members whose terms are expiring. Phil Craig has decided to withdraw from the committee. Lois Twilley and Susan Klein have not yet made their decision.

#### **Next Meeting:**

- Next meeting – November 9, 2010
- Discussions planned will be:  
- Chapter 160 (Zoning) continued.

#### **Old Business:**

- None

#### **New Business:**

- Diane Tingle stated that since codebook updates will resume next month with §160-4B (Height Regulations) this committee needs to address building height requirements. Diane's observation is that street resurfacing raises the elevation of the street and thus raises the height of the road for measuring purposes.

#### **Adjourn:**

- Vicki Carmean made a motion to adjourn the meeting, seconded by Gene Langan. The meeting was adjourned at 10:50 a.m.